

APPLICANT(S): BEN-YEHUDA, Guy et al.
SERIAL NO.: 10/748,665
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-24 are pending in the application.

Claims 8-16 have been rejected.

Claims 1-7 and 17-24 have been rejected.

CLAIM REJECTIONS

35 U.S.C. § 101 Rejection

In the Office action, the Examiner rejected claims 1-7 and 17-24 under 35 USC Section 101 as being directed to non-statutory subject matter. Applicants respectfully traverse the rejection for at least the reasons that follow.

Claims 1-7 are directed to a method to be performed by a computing device, for example, by a processor of a computing device. Contrary to the Examiner's rejection, claim 1 does require a transformation, insofar as under the conditions specified in the claim, the method results in "performing a base station identification procedure". Accordingly, the claim produces a useful, tangible and concrete result. (Interim Guidelines p. 20). It is noted that when examining a claim, the Examiner is not to test the steps taken, but rather whether the final result achieved is useful, tangible and concrete. Claims 2-7, which depend from claim 1, are allowable for at least the same reason.

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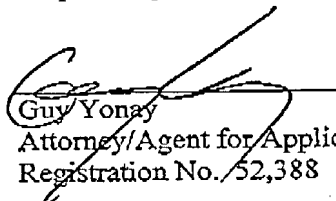
Claims 17-24 are directed to a concrete apparatus, and are therefore statutory subject matter. Claim 17 recites an "article comprising a computer readable storage medium" having a particular set of instructions stored thereon as claimed. Accordingly, claims 18-24, which depend from claim 17, are allowable for at least the same reason.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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